

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

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**MAY 14 2001**

**PATRICK FISHER**  
Clerk

LAWRENCE BREED'LOVE, also  
known as Shaykh Muhammad Juhajir,  
Abd'Allah Muslim,

Plaintiff - Appellant,

v.

GARY GIBSON; JAMES L.  
SAFFLE, Director of the Oklahoma  
Department of Corrections; CLADIA  
KEELING, Medical Health Provider,  
O.S.P. Medical Staff; BRAD PAYAS,  
Medical Health Supervisor, ODOC,  
Oklahoma City, OK.; B. SEUTER,  
Sergeant, Security, Unit Sgt., H-Unit;  
SOCKEY, also known as Sockett,  
Sergeant-Security, Unit Sgt. H-Unit;  
JOHNSON, Correctional Officer,  
Unit Floor Officer; B. BABB,  
Correctional Officer, Unit Floor  
Officer; SPARKS, H-Unit,  
Correctional Officer, Unit  
Floor/Booth Officer; SMITH, H-Unit  
Sergeant-Security, Unit Officer,  
H-Unit; SHAWN CHUMLEY,  
Sergeant, Security, Law Library  
Service Officer; BUCHARIACH,  
also known as Brachenrich, Staff,  
Law Library Supervisor; JOY RICE,  
Correctional Officer, Law Library  
Service Officer; JAMES  
MCFARLAND, Staff Correctional  
Case Manager; NANCY  
CARPENTER, Staff, Correctional  
Case Manager; LEEANN WEST,

No. 00-7110  
(D.C. No. 99-CV-166-S)  
(E.D. Okla.)

Staff, Correctional Counselor;  
DEWAYNE HOFFMAN, Staff,  
Disciplinary Hearing Officer;  
DELOISE RAMSEY, Designee for  
James Saffle, Dir. ODOC; JIMMY  
SHIPLEY, Staff, Correctional Case  
Manager; JOHN DOE, also known  
as Bret Fatkins, Security Major,  
O.S.P., Successor of Bret Fatkins;  
JOHN DOE, also known as B. Few,  
No.2 Sergeant-Security, Law Library  
Service Officer, H-Unit,

Defendants - Appellees.

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**ORDER AND JUDGMENT** \*

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Before **EBEL**, **ANDERSON**, and **KELLY**, Circuit Judges.

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After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

Plaintiff Lawrence Breed'Love, a state prisoner appearing pro se, appeals from an order of the district court that dismissed his civil rights complaint as frivolous under 28 U.S.C. § 1915. He moves for leave to proceed on appeal without prepayment of fees or costs. He also moves for leave to amend his complaint. We have jurisdiction under 28 U.S.C. § 1291.

Appellant asserted numerous claims related to his transfer from Washington state to Oklahoma. The district court dismissed the complaint because appellant's allegations were conclusory and unsupported. We have carefully considered appellant's arguments in light of the record on appeal. We deny his motion for leave to amend his complaint because he did not raise this issue in the district court. Singleton v. Wulff, 428 U.S. 106, 120 (1976). We are unpersuaded by appellant's claims of error, and affirm for substantially the same reasons as those set forth in the district court's October 17, 2000 order. Appellant's motion for leave to proceed on appeal without prepayment of fees or costs is denied.

AFFIRMED.

Entered for the Court

Paul J. Kelly, Jr.  
Circuit Judge